

Palm Estates at Madison Green Association, Inc. Rules and Regulations

NOTICE TO OWNER

PLEASE REFER TO MADISON GREEN MASTER ASSOCIATION GOVERNING DOCUMENTS AS WELL AS THE RESTRICTIONS AND CODES AS MANDATED BY ALL APPLICABLE GOVERNING AGENCIES; CITY, COUNTY OR STATE ORDINANCES.

THESE RULES AND REGULATIONS APPLY TO THE PALM ESTATES HOMEOWNERS' ASSOCIATION AS SUBORDINATE AND IN ACCORDANCE TO THE AFOREMENTIONED.

ARCHITECTURAL CONTROL FOR EXTERIOR CHANGES, MODIFICATIONS & ALTERATIONS:

The Association, or its designees, has the right to exercise architectural control over all improvements including size, height, plans, set-back, exterior design, materials, colors, landscaping, waterscape, etc. The Association can, from time to time, modify minimum guidelines, criteria, and/or standards used for architectural control as it deems necessary to preserve the integrity of the Association. The Association shall not be liable for any defect or deficiency in plans or specifications.

- Homeowners must receive written approval of the Palm Estates HOA before making any improvement or obtaining permits, etc. Requests for approval shall be made in writing, on the approved Madison Green Architectural Application, and shall include copy of survey, any plans and contractor's specifications etc. If required HOA approvals are not obtained, the Association will require the homeowner to cease & desist, remove or alter any improvements.
- Homeowners seeking architectural approval from Palm Estates HOA are also subject to the review and approval by the Madison Green Master Association ARC Committee prior to commencing said modifications or additions.
- The Association shall notify the homeowner of approval or disapproval within 30 days after the *complete* application and its contents are submitted. If no response is given to the homeowner within the 30 days, the request is deemed approved.
- No application for modification will be approved for any resident whose account is not in good standing, except for painting or landscape projects.
- The homeowner must commence the requested project within six (6) months of approval.
- Homeowner must give the Association written notice of completion and in turn, the Association will have the right to inspect within 30 days.
- Homeowner must be in compliance with the requirements of all governmental authorities and is required to obtain an appropriate building permit, as applicable. An approved Architectural Review Committee form is required to obtain a building permit from the Village of Royal Palm Beach.
- If a building permit is required for the proposed modification/addition, such improvement must be installed by a licensed contractor unless otherwise approved by the Association.

USE RESTRICTIONS:

Air Conditioning Units:

- Only central air conditioning units are permitted.
- Temporary installation of window or portable air conditioning units are permitted during formal hurricane warnings and during post hurricane extended power failures but must be removed and stored within 7 days after power has been restored.
- No window, wall, or portable units are permitted without prior written consent of the HOA.

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Automobiles, Vehicles and Boats:

All Vehicles in the Palm Estates Community shall be properly registered and insured and shall be in good condition unless kept in an enclosed garage. Only passenger vehicles may be parked overnight outside of the garage. This includes -

- Automobiles
- Vans with permanent rear seats and side windows.
- Pick-up trucks ½ ton or less used as passenger vehicles

Excludes:

- Trucks with more than 2 axles
 - Vehicles with commercial lettering or signs
 - Vehicles with commercial equipment outside of vehicle
 - Panel Vans
 - Recreational vehicles
 - Campers
 - Trailers
 - Boats
 - Golf Carts, ATV's or ATC's
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- Owners / residents may not keep more vehicles on the driveway on a permanent basis than the garage can accommodate.
 - No more than three approved personal vehicles may be parked or stored outside overnight. Vehicle covers or tarps are not permitted on vehicles parked outside.
 - No overnight (12:01 AM to 6:00 AM) parking is permitted on any streets, lawns, or areas other than driveways and garages. (An exception to the overnight parking rule is allowed to provide for drying time for driveway sealer applications). Vehicles violating the overnight parking rules are subject to towing at the owner's expense. Owners/residents will be given two written warning notices prior to towing, with the exception of emergency circumstances.
 - All vehicles must be in good condition and repair.
 - NO vehicle which does not contain a current license plate or which cannot operate on its own power shall be parked upon the driveway for more than twenty-four (24) hours.
 - All vehicles must be painted with colors and in a manner which is customary for private passenger vehicles, and which is not offensive or distasteful in the reasonable opinion of the HOA.
 - No motorcycle, motorbike, moped, all-terrain vehicle, or other such vehicle is permitted to be operated on the homeowner's property unless such vehicle is licensed for street use and equipped with appropriate noise-muffling equipment so that its operation does not create an annoyance. If the HOA determines the operation of any such vehicle creates an annoyance, after written notice from the HOA, the vehicle shall not be operated within the Association's property.
 - Approved vehicles parking in driveways overnight must be parked perpendicular to the garage (exception made for circular drives) and must not extend over the sidewalk.
 - Operation of any vehicle is subject to the laws and ordinances of the State of Florida, Palm Beach County and the Village of Royal Palm Beach. Violation of such laws should be reported to local police.
 - Children operating toy electric/battery cars or other electric vehicles must be supervised by adults and must be operated on the roads.
 - Operation of a motorized scooter is subject to the laws of the State of Florida and Ordinances of the Village of Royal Palm Beach. (e.g. must have valid driving license, operated during daylight hours, must wear helmet, must be operated in the street, etc.) and must be registered and insured. Violation of motorized scooter rules should be reported to local police.
 - To help ensure safe traffic flow, residents should always park in their garages or driveways whenever possible and should avoid street parking.
 - Golf carts are not permitted on the streets or sidewalks of Palm Estates.

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Basketball Backboards:

- No permanently installed basketball backboards are permitted.
- No portable backboards are allowed outside overnight or when not in use.

Business or Commercial Use: No business or commercial activity is allowed that encompasses customer foot traffic or such commercial activity is apparent from the exterior of the home as a result of clients visiting/residing overnight.

Clotheslines and Outside Clothes Drying: No clotheslines or drying yards or any other piece of equipment or thing upon which clothes or other articles can be hung or draped for drying purposes shall be erected, used, or permitted to remain anywhere visible from any adjacent street or property.

Common Areas: Nothing may be stored, constructed, placed within or removed from a Common Area.

Damage and Destruction: If a home is damaged or destroyed, it must be repaired and restored to its original condition as soon as it is practical and such communication must be forwarded to the Association. The Association reserves the right to dispute the validity of “practical” in some circumstances and will require supporting documentation to verify same.

Driveways:

- No asphalt or gravel driveways, walkways or sidewalks are permitted.
- Damaged front sidewalks must be replaced with concrete as per the original design specifications
- Pavers may not be painted with anything other than a clear sealer.

Easements:

“Drainage and Utility Easements” and “Water Management and Retention Easements” are designated on plats for the installation and maintenance of utility, drainage facilities and storm water storage. Within these easements, no improvement, change, or other material shall be placed which may:

- Interfere with utilities without written approval of the utility company. Or
- Change the direction or flow of water in drainage channels without approval of the Association and governmental agencies.

These easements must be maintained by the homeowner.

Fences:

- Fences are not permitted in front of any home and fence/gate must be set back at least 10 feet from the front of the house.
- All fences must be approved by the Association. The Association retains the right to set a standard type, color, and height of fences.
- All approved fences will be as follows:

Fence: Type, Style and Placement –

- **Golf, Lake and Preserve/Littoral Lots:** Only 4’ Aluminum rail style in bronze color may be utilized in Palm Estates. Approved hedge material may be installed to the interior of rail style fencing (2’ setback) not to exceed 6’ on side property lines ONLY. No hedge material may be installed on the rear property lines. NO PRIVACY FENCING PERMISSIBLE ON SAID LOTS.
- **Open Lots:** (Lots on berm(s) or to plat defined open space) Only 4’ Bronze aluminum rail fencing may be installed along side and rear property lines. Six (6) ft. approved hedge material may be installed along rear property line to the interior of the rail style fence with 2’ setback. Hedge materials shall be minimum of five (5) gallon at time of installation.

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- **Interior Lots: Only** 4' Bronze aluminum rail fencing is permissible. Approved hedge material may be installed to the interior of rail style with 2' setback. Corner/end lots to sidewalk must install approved minimum 5 gallon hedge material, to be maintained at 6', to the exterior of fence; Fence must be installed with a 2' setback on this property line to sidewalk.

- Fences must be maintained in good condition at all times.

Garages:

- No garage shall be permanently enclosed and no portion of a garage shall be converted into living space.
- All garage doors shall remain closed when not in use.

Garbage:

- Garbage must be regularly picked up and not permitted to accumulate. All trash, recyclables, etc. must be kept in garbage cans.
- Garbage shall be placed at the curb for pick-up after 5:00 pm on the day before the scheduled day of collection.
- Garbage cans must be removed from the curb and stored by the evening of the collection day.
- Garbage cans must be kept in the garage or in an area intended for storage, screened from view and kept in a neat & sanitary condition.
- All garbage/trash must be placed in appropriate facilities or bags, prior to placing within the required cans.
- No noxious odors are permitted.

Garbage Containers, Oil and Gas Tanks, Air Conditioners: All garbage containers, air conditioning units, oil tanks, bottled gas tanks, and swimming pool equipment shall be kept underground or placed in walled-in or landscaped areas so they are hidden from any eye-level view from any street or adjacent property.

Hurricane Shutters / Panels:

- Shutters may not be installed/closed until a named storm / hurricane is imminent to our area.
- Shutters that may inhibit the evacuation of a home, due to fire or other life threatening situation, that may prevent emergency services from entering a home, or other unsafe condition must be removed/opened immediately after current storm/hurricane risk has passed. This includes the removal or opening of shutters from all doors and bedroom windows.
- Shutter brackets and mounting hardware must be removed no later than November 15th and cannot be reinstalled until such time another named storm or hurricane is imminent to our area.
- In the event that a hurricane watch is issued, all materials in exposed areas outside of a residence shall be removed from the exterior of the premises, unless such materials have been permanently affixed to the ground or the structure. Residents / occupants shall comply no later than 36 hours before the anticipated arrival of hurricane force winds

Landscaping:

- All landscaping changes must be approved by the HOA. Owners must maintain their lot and the grass area between the sidewalk and the street, (swale).
- All landscaping shall be kept in first class condition and appearance including mowing, watering, trimming, fertilizing, weed and insect control.
- Underground sprinkler systems must be maintained in good working condition. If the system causes staining due to water quality, a chemical treatment system must be installed.
- Grass areas shall not be paved or covered with gravel or any artificial surface.
- All dead or diseased sod, plants, shrubs, trees, or flowers shall be promptly replaced and excessive weeds, underbrush or unsightly growth shall be promptly removed.

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- No artificial grass, plants shall be allowed outside of a home.
- All homes must maintain 3 palm trees in the front of the home. If any of these 3 palm trees must be replaced, the replacement trees must be approved by the HOA and the palm trees must be a queen, royal, foxtail or other similar type of palm tree and meet minimum size standards including having grey wood of at least 4 feet.
- Trees located between sidewalks and the streets must be kept maintained and trimmed. Trees planted in this area must be replaced if the trees die or are damaged and will not recover to a normal shape. Dead trees in this area must be replaced with a foxtail palm and be a similar size as the original tree. Only mulch may be used in the bed between the sidewalk and roadway. Rocks, marble chips and the like may NOT be used in this area as a matter of safety.
- The Association, in approving applications for landscaping materials, will consider the size and placement of such materials as it relates to the mature growth pattern of the tree or shrub.
- Prohibited vegetation rules defined by the Village of Royal Palm Beach will be enforced.
- Privacy hedges are allowed only on the side or in the rear of the home. Hedges on the side lot must be set back at least 10 feet from the leading edge of the house.
- Privacy hedges must be maintained at a maximum height of six feet and must be planted at a sufficient distance from property lines so branches will not extend over property lines.
- No hedges of any kind are permitted to border front sidewalks, or driveways.

Leases:

- All leases must be in writing and copies delivered to the HOA prior to occupancy by the tenant(s). A processing fee in the amount of \$150 shall be submitted with lease and application.
- An Application for Occupancy must be completed by prospective tenants and submitted to the Association for review. A personal meeting with the Association or its designated agent is required prior to approval of lease and occupancy.
- Landlord must post \$3,000 refundable security deposit with the association.
- No lease shall be for a period of less than 3 months, and no homeowner shall lease his home more than 2 times in any consecutive 12 month period.
- Subleasing of a home or any space therein is strictly prohibited.
- The Association has the right of termination / eviction where the tenant or Owner has been found in breach of the governing documents of the Association or any rules promulgated by the Board of Directors.
- Under no circumstance shall a tenant/owner operate a business from the home, which would require clients to visit the home or occupy as a short term resident.
- Any change in occupancy requires an updated application for occupancy accompanied by a processing fee of \$150.
- No home may be used as an assisted living facility, group home, half-way house, shelter or similar type facility and shall be used solely for single family occupancy.

Mailboxes: Replacement mailboxes and mailbox poles must match the mailboxes and poles that were originally provided by the builder. Ordering information can be found inside the mailbox.

Maintenance:

- All homes must be maintained in first class condition. No grime, dirt, mold or any like fungi shall be allowed to remain upon any portion of the property.
- Vegetation damaging chemicals shall not be used when cleaning the roof or exterior of the home.
- Homeowner is responsible to maintain driveway, walkway and swales bordering their property. If the homeowners elect to engage a contractor or clean this area themselves, any debris remaining in these areas or in the roadway shall be cleaned within 48 hours following completion or the association will remediate at the owners' expense.
- Any homeowner intending to paint the exterior of their home must first obtain approval by the Association as to the exterior paint palettes.
- Paint colors must match colors originally approved for Palm Estates.

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- Repainting with original color requires approval by the Village and Master ARC.

Nuisances: No nuisances are permitted which shall interfere with the peaceful possession and quiet enjoyment of its members. All laws, zoning ordinances, and regulations of all controlling government authorities shall be complied with at all times by the Owners.

Occupancy: No home shall be permanently occupied by more than 2 persons for each bedroom.

Outside Antennas and Flag Poles:

- No antennas or dishes are permitted that are visible from the exterior of a house without approval of the HOA and Master Association; with the exception of dishes that are located no more forward than 1/3 from the rear of the home. In no instance shall a satellite dish exceed 39" in diameter. ALL such additions of satellite dishes or other must be presented to the Association for architectural review.

Parcel owners may display a flag on their property that is no larger than 4 1/2 feet by 6 feet, and either an official flag of the United States, Florida, Army, POW-MIA, Marine Corps, Navy, Coast Guard or Air Force. Homeowners may also erect a flagpole of no higher than 20 feet on any portion of the property that does not interfere with sightlines or is in an easement. The Flag must be displayed in a respectful manner and if flown after dark must be illuminated.

Outside Storage of Personal Property:

- Personal property must be kept within a unit or in a fenced or walled-in yard except for tasteful patio furniture and accessories, Bar-B-Q grills, playground equipment approved by the HOA, and other personal property commonly kept outside which must be kept in the rear of the house and must be in good condition.
- Personal property kept outdoors includes but is not limited to lawn ornaments, statues, plant pots, fountains, birdbaths, wall plaques, etc. All must be approved by the Architectural Committee. These items are subject to removal and interior storage in the event of a named storm / hurricane imminent to our area.

Pets:

- No animals, livestock, or poultry are permitted within the Association at any time, except for common household pets.
- Only a total of 2 cats and/or dogs are permitted within a unit.
- No pit bull terriers are permitted.
- Dogs and/or cats are permitted outside of the air conditioned living space of a home, when in direct control by its owner.
- No dog shall be permitted to be left out of the home on a screened patio or fenced yard unless someone is present and attentive within the home.
- Any pet must be carried or kept on a leash when outside of a home or fenced in area.
- No pet is allowed to go or stray on any other lot.
- Pets shall not be a nuisance to other residents.
- Solid animal waste left by their pet must be picked up & disposed of immediately.
- No commercial breeding of pets is allowed.
- The Association reserves the right to require immediate and permanent removal of any pet due to violation of these rules.

Playground Equipment:

- Sports, recreational or toddler/children equipment may not be installed on a homeowner's lot or on the exterior of their home without approval of the HOA.
- All approved playground equipment will be located in the rear of the lot.
- A building permit must be obtained, as required by the Village of Royal Palm Beach, for all playground and recreational equipment.
- Installations of equipment must be anchored and secured in compliance with the requirements of Village codes to avoid damage to neighboring properties during high wind conditions.

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- If the equipment is not required to be anchored by code, unanchored equipment must be disassembled and stored indoors should a named storm or hurricane warning be issued for our area.

Portable Buildings: No portable, storage, temporary or accessory buildings or structures, sheds, or tents will be permitted on any lot without the express written consent of Palm Estates and the Madison Green Master Association.

Roofs for Porches, Patios or Additions:

- Any roof or ceiling on any porch, patio, or addition must be approved by the HOA and must be the same type and color as the existing roof or of screened material in the case of a screened porch.
- No metal or fiberglass patio roofs are permitted.

Signs:

- Signs are not permitted outside the home.
- Signs are not permitted in or upon a home which are viewable from the exterior.
- The Association has the right to remove any signs without notice to the homeowner and is not liable for loss or damage to the sign nor will such removal be deemed as a trespass.
- Only small signs supplied by alarm companies that indicate that the home is protected by an alarm system are permitted. Such signs must be placed adjacent to landscaping, towards the front portion of the walkway. No other sign shall be placed upon any LOT.

Solar Collectors:

- Must be approved by Palm Estates HOA and Master Association
- Must be installed on roof.

Subdivision: Lots cannot be subdivided

Surface Water Management:

- No Owner or person may do anything to adversely affect the surface water management and drainage of their property, including changing the elevation of any portion of their lot.
- No Owner or person can install any landscaping or place any fill on their lot that would affect the drainage of any contiguous lot.

Swimming Pools: No above-ground swimming pools, spas, etc are permitted within the property.

Window Treatments:

- Must be draperies, blinds, shutters, decorative panels, or other tasteful window coverings.
- No newspaper, aluminum foil, sheets or other temporary window treatments are allowed except for a period not exceeding 60 days after an owner or tenant first moves in or is having window treatments cleaned or repaired.